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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/332,103	06/14/1999	KENTARO YANO	8622868	2516
5514	7590	04/21/2004	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			LAROSE, COLIN M	
			ART UNIT	PAPER NUMBER
			2623	
			DATE MAILED: 04/21/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/332,103

Applicant(s)

YANO ET AL.

Examiner

Colin M. LaRose

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 27 February 2004 has been entered.

Response to Amendments and Arguments

2. Applicant's arguments regarding claims 1, 2, and 7 (see pages 8 and 9 of Paper 20) have been fully considered. However, the claims are still believed to be anticipated by Shimada as explained below.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1-10 are rejected under 35 U.S.C. 102(a) as being anticipated by U.S. Patent 5,795,082 by Shimada et al. ("Shimada").

Regarding claim 1, Shimada discloses a quantization method (figure 12) in which quantization processing is applied to data for first and second recording means (figure 5, C1 and

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C2: low- and high-density cyan) which record input image data in a plurality of gradations which belong to each of different gradations in substantially the same hue, comprising the steps of:

inputting multi-value level image data (S100, figure 12);

a first quantization step (S140, figure 12) of performing quantization of the image data input for the first recording means to data with a lower level than that of the input image data, the first quantization step performing the quantization by conducting error correction (column 13, lines 56-67 and figure 17: quantizing the image data into low density dots is done by error diffusion); and

a second quantization step (S120, figure 12) of performing quantization of the image data input for the second recording means to data with a lower level than that of the input image data, the first quantization step performing the quantization without conducting error correction (column 12, lines 40-47 and figure 15: quantizing the image data into high density dots is done by dithering),

wherein at least one of the first and second quantization steps performs quantization of the input image data of one pixel (i.e. figure 12 is a process for one pixel) to multi-value data with 3 or more levels, so that the corresponding one of the first and second recording means may record the image in a plurality of gradations (both quantization steps quantize the image data of one pixel into one of 26 levels – as shown figure 18, the input image data is quantized from 256 levels to one of 26 levels of light dots and one of 26 levels of dark dots; that is, a 5x5 matrix of light and dark dots is generated for each value of input image data, wherein the number of each of light and dark dots ranges from 0 to 25),

wherein the first recording means records the image with lower density recording material than that used by the second recording means (i.e. first recording means uses light dots, and second recording means uses dark dots).

Shimada also discloses the corresponding apparatus and storage medium of claims 2 and 7, which are substantially the same in scope as claim 1.

Regarding claim 3, Shimada discloses the recording means are of an ink-jet system (e.g. figure 4).

Regarding claim 4, Shimada discloses the first and second recoding means record the image with light and black (i.e. dark) ink ("C1" and "C2" in figure 5).

Regarding claim 5, Shimada discloses the size of the ink drop is controlled when the first and second recording means effect recording in a plurality of gradations (i.e. Shimada's recording means controls the size of the ink drops so that the drops are uniform as shown in figure 18).

Regarding claim 6, Shimada discloses the first and second recording means share a region in which both means effect recording while both raising recording levels (e.g. figure 18).

Regarding claims 8-10, Shimada discloses the first quantization uses error diffusion, and the second quantization uses dithering, as addressed above for claim 1.

Conclusion

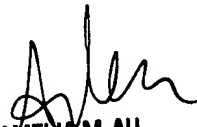
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Colin M. LaRose whose telephone number is (703) 306-3489.

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The examiner can normally be reached Monday through Thursday from 8:00 to 5:30. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amelia Au, can be reached on (703) 308-6604. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2600 Customer Service Office whose telephone number is (703) 306-0377.


AMELIA M. AU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

CML

Group Art Unit 2623

18 April 2004